

## DECLARATION

As the below-named inventor, I declare that:

My residence, post office address, and citizenship is as stated below under my name.

I believe I am the original, first, and sole inventor of the invention entitled "GAS DISTRIBUTION SYSTEM," which is described and claimed in the application and claims of Patent Application No. 10/621,782, which was filed in the United States Patent and Trademark Office on July 16, 2003 and for which a patent is sought.

I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to herein (if any).

I acknowledge my duty to disclose information of which I am aware which is material to patentability and examination of this application in accordance with 37 C.F.R. § 1.56(a).

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

Joachim George Borck

Date February 5, 2004.

Residence : City of Cloverdale, Province of British Columbia

Canada

Citizenship : Canada

P.O. Address : 18870 – 61A Avenue  
Cloverdale, BC V35 7V9  
Canada

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FEB 23 2004  
PATENT & TRADEMARK OFFICE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joachim George Borck                          Attorney Docket No.: 30221/US/2  
Serial No. : 10/621,782                                  Group Art Unit : not yet assigned  
Filed : July 16, 2003                                      Examiner : Not Yet Assigned  
Title : GAS DISTRIBUTION SYSTEM

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73(b) AND POWER OF ATTORNEY**

Sir:

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

Assignee hereby appoints EDWARD W. BULCHIS, Reg. No. 26,847; PAUL T. MEIKLEJOHN, Reg. No. 26,569; KIMTON N. ENG, Reg. No. 43,605; BRIAN C. PARK, Reg. No. 45,519; MARK W. ROBERTS, Reg. No. 46,160; STEVEN H. ARTERBERRY, Reg. No. 46,314; JAMES ACKLEY, Reg. No. 45,695; RONALD BROWN, Reg. No. 29,016; DAVID BRUHN, Reg. No. 36,762; KEVIN CHAPPLE, Reg. No. 44,072; W. ROBINSON CLARK, Reg. No. 41,530; SHANE COLEMAN, Reg. No. 44,623; GREGORY DURBIN, Reg. No. 42,503; DANIEL FISHER, Reg. No. 34,162; DAVID FRONEK, Reg. No. 25,678; ANTHONY GANGEMI, Reg. No. 42,565; MICHAEL GILCHRIST, Reg. No. 40,619; THERESA HANKES, Reg. No. 45,501; JOHN HARROP, Reg. No. 41,817; BRAD HATTENBACH, Reg. No. 42,642; REED HEIMBECHER, Reg. No. 36,353; CRAIG HEMENWAY, Reg. No. 44,759; STUART HEMPHILL, Reg. No. 28,084; MARK HOGGE, Reg. No. 31,622; JOHN KENNEDY, Reg. No. 42,717; JASON KRAUS, Reg. No. 42,765; BRIAN LAURENZO, Reg. No. 34,207; KENNETH LEVITT, Reg. No. 39,747; KURT LEYENDECKER, Reg. No. 42,799; SCOTT MARKS, Reg. No. 44,902; KEITH MONTGOMERY, Reg. No. 45,245; ALDO NOTO, Reg. No. 35,628; LEE OSMAN, Reg.

No. 38,260; DEVAN PADMANABHAN, Reg. No. 38,262; JAMES PINTO, Reg. No. 40,774; GARY POLUMBUS, Reg. No. 25,364; SCOTT ROTHENBERGER, Reg. No. 41,277; LEONARD SANTISI, Reg. No. 24,135; ROBERT SCHEFFEL, Reg. No. 43,090; AMI SHAH, Reg. No. 41,143; MIRIAM SOHN, Reg. No. 35,368; HERMES SOYEZ, Reg. No. 45,852; GERALD SULLIVAN, Reg. No. 37,243; MARK THOMAS, Reg. No. 37,953; JON TUTTLE, Reg. No. 25,713; MEGAN VALENTINE, Reg. No. 47,149; LANCE VIETZKE, Reg. No. 36,708; SEAN WOODEN, Reg. No. 43,997; and the attorneys and agents associated with the firm of **DORSEY & WHITNEY LLP**, **Customer Number 27,076**, as its attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to **Steven H. Arterberry** at (206) 903-8800 and telecopies to (206) 903-8820.

Please direct all communications to:

Steven H. Arterberry, Esq.  
**Customer No. 27,076**  
Dorsey & Whitney LLP  
1420 Fifth Avenue, Suite 3400  
Seattle, Washington 98101  
(206) 903-8800

Pursuant to 37 C.F.R. § 3.73(b), the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to GENERAL HYDROGEN CORPORATION, filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee

GENERAL HYDROGEN CORPORATION  
ASSIGNEE

DATE

Nov 26/05.

  
Lisa M. Colart  
Corporate Secretary

Enclosure:

Copy of Assignment

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## ASSIGNMENT

WHEREAS, I, Joachim George Borck (hereinafter referred to as ASSIGNOR), having a post office address of 18870 – 61A Avenue, Cloverdale, British Columbia, Canada, V3S 7V9, respectively, am the sole inventor of an invention entitled "GAS DISTRIBUTION SYSTEM," as described in a United States provisional application which was filed on July 16, 2003 and assigned Application No. 10/621,782.

WHEREAS, General Hydrogen Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Delaware having a place of business at 1420 Fifth Avenue, Suite 2200, Seattle, Washington 98101-4010, is desirous of acquiring the entire right, title and interest in and to the invention, and in and to any letters patent that may be granted thereof in the United States and in any and all foreign countries;

NOW, THEREFORE, pursuant to the employment contract between ASSIGNOR and General Hydrogen (Canada) Corporation, a corporation incorporated under the laws of Canada having a place of business at 13120 Vanier Place, Richmond, British Columbia, Canada, V6V 2J2, and with the express consent of General Hydrogen (Canada) Corporation, ASSIGNOR hereby sells, assigns and transfers unto the ASSIGNEE, the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.



February 5, 2004.

Date



Joachim George Borck

Feb 5/2004.

Date

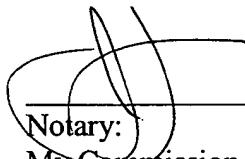


Lisa M. Coltar

Corporate Secretary-GH Canada

BEFORE ME, this 5 day of February, 2004, personally appeared the above-named individuals, to me known to be the persons described in and who executed the foregoing assignment instrument and each acknowledged to me that he executed the same of his own free will for the purpose therein expressed.

SEAL



Notary:

My Commission is Non-Expiring

**JOHN FAIRBURN**  
**BARRISTER & SOLICITOR**  
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